



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-6901
ATTN: Rozwin Liera, Project Manager

Public Notice Date: March 7, 2005
Expiration Date: April 7, 2005
Reference: 200300924-R
Name: WA State Parks and Recreation

REVISED

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of March 3, 1899, and Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT - Washington State Parks & Recreation Commission
Mr. Derek Gustafson
220 North Walnut Street
Burlington, Washington 98233-1138
Telephone: (360) 755-5262

LOCATION - In Cornet Bay, within Deception Pass State Park, Island County, Washington.

WORK - Replace boat ramps: Four existing concrete boat launch ramps lanes (4,800 square feet) will be removed and replaced with 4 new concrete boat launch lanes (9,830 square feet). Up to 4,353 square feet of concrete below the Mean Higher High Water line will be removed and up to 5,916 square feet of concrete will be placed below the Mean Higher High Water line. Up to 3,339 square feet of quarry spalls below the Mean Higher High Water line will be removed and up to 544 square feet of quarry spalls will be placed below the Mean Higher High Water line. The concrete will be placed by trackhoe or poured in place. The demolition and construction of the in-water portion of the boat launch will be isolated from marine waters with either a silt curtain or a coffer dam. Placement of the quarry spalls and any necessary grading will be by trackhoe.

Replace floats: Three new finger floats, consisting of 6 grounding floats each, will replace 2 existing finger floats. Replace two 3-pile timber dolphins with three 24-inch-diameter steel piles, one at the end of each of the 3 finger floats.

Replace debris deflector: Remove 7 existing creosote treated piles and existing 140 foot long wood log boom. Place 7 steel piling and new 140 long wood log boom.

This work is a revision from Public Notice 200300924 dated February 3, 2004. The revisions consist of limiting bulkhead replacement to a bulkhead section landward of the MHHW, adding the replacement of the wood debris deflector boom, and eliminating an ADA concrete ramp from the design. Construction methods are also clarified. There are no changes to the boat launch design.

PURPOSE - To provide more efficient and safe use of boat launch facilities for general public use.

ENDANGERED SPECIES - The Endangered Species Act (ESA) of 1973, as amended, requires assessment of potential impacts to listed and proposed species. The marbled murrelet (*Brachyramphus marmoratus*) threatened, bald eagle (*Haliaeetus leucocephalus*) threatened, Coastal/Puget Sound bull trout (*Salvelinus confluentus*) threatened, Puget Sound Chinook salmon (*Oncorhynchus tshawytscha*) threatened, Steller sea lion (*Eumetopias jubatus*) threatened, humpback whale (*Megaptera novaeangliae*) endangered, and leatherback sea turtle (*Dermochelys coriacea*) endangered in the State of Washington, *may occur* in the proposed project area. For the marbled murrelet, critical habitat has been designated. Critical habitat is proposed for bull trout and salmonids. After receipt of comments from this public notice, the U.S. Army Corps of Engineers (Corps) will evaluate the potential impacts to the bald eagle, marbled murrelet and its critical habitat, coastal/Puget Sound bull trout, Puget Sound Chinook salmon, Steller sea lion, humpback whale and leatherback sea turtle.

ESSENTIAL FISH HABITAT - The Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). EFH for Pacific salmon, Groundfish, Coastal Pelagic Species occurs in the project area. The proposed action would impact approximately 0.03 acres of EFH for these species.

If the Corps determines that the proposed action may adversely affect EFH for federally-managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES - The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. Known historic properties occur in the vicinity of the proposed project. However, they do not occur in the permit area. The proposed work is of such a limited nature and extent has been extensively modified by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

PUBLIC HEARING - Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION - The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts

of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. This evaluation will include an alternatives analysis.

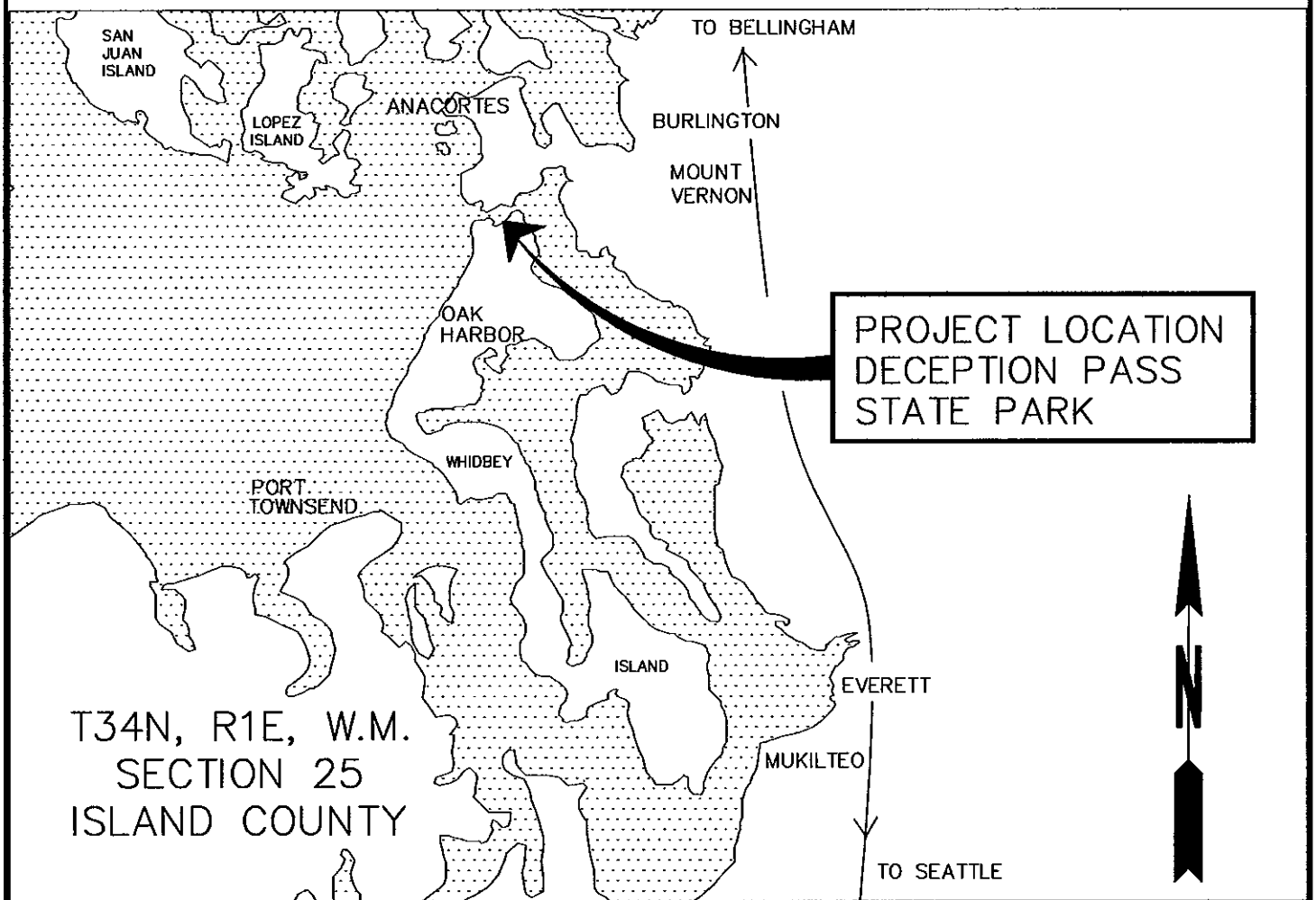
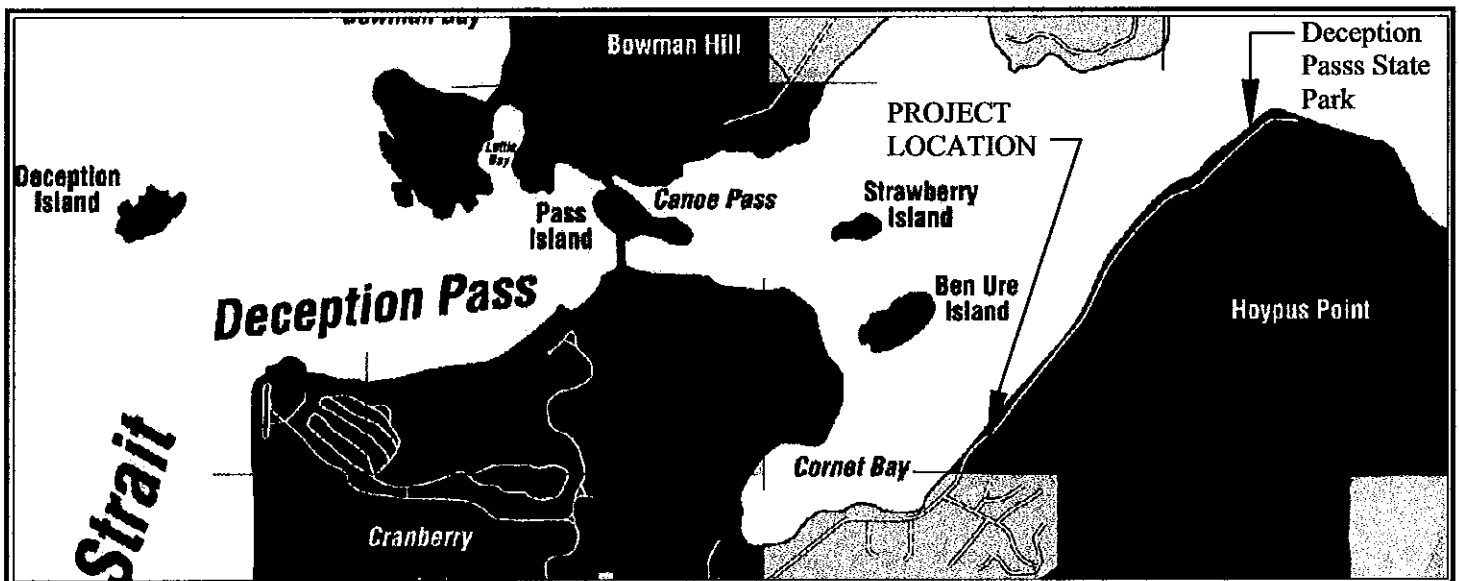
ADDITIONAL EVALUATION - The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

This proposal is the subject of Shorelines Substantial Development Permit No. 243/03 issued by Island County on July 29, 2004.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to rozwin.k.liera@usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

WA State Parks and Recreation
200300924-R

Encl
Drawings (5)
Attachment (1)



Purpose: Boat Launch Improvements
Datum: NOAA, MHHW=10.20, MLLW=0.00

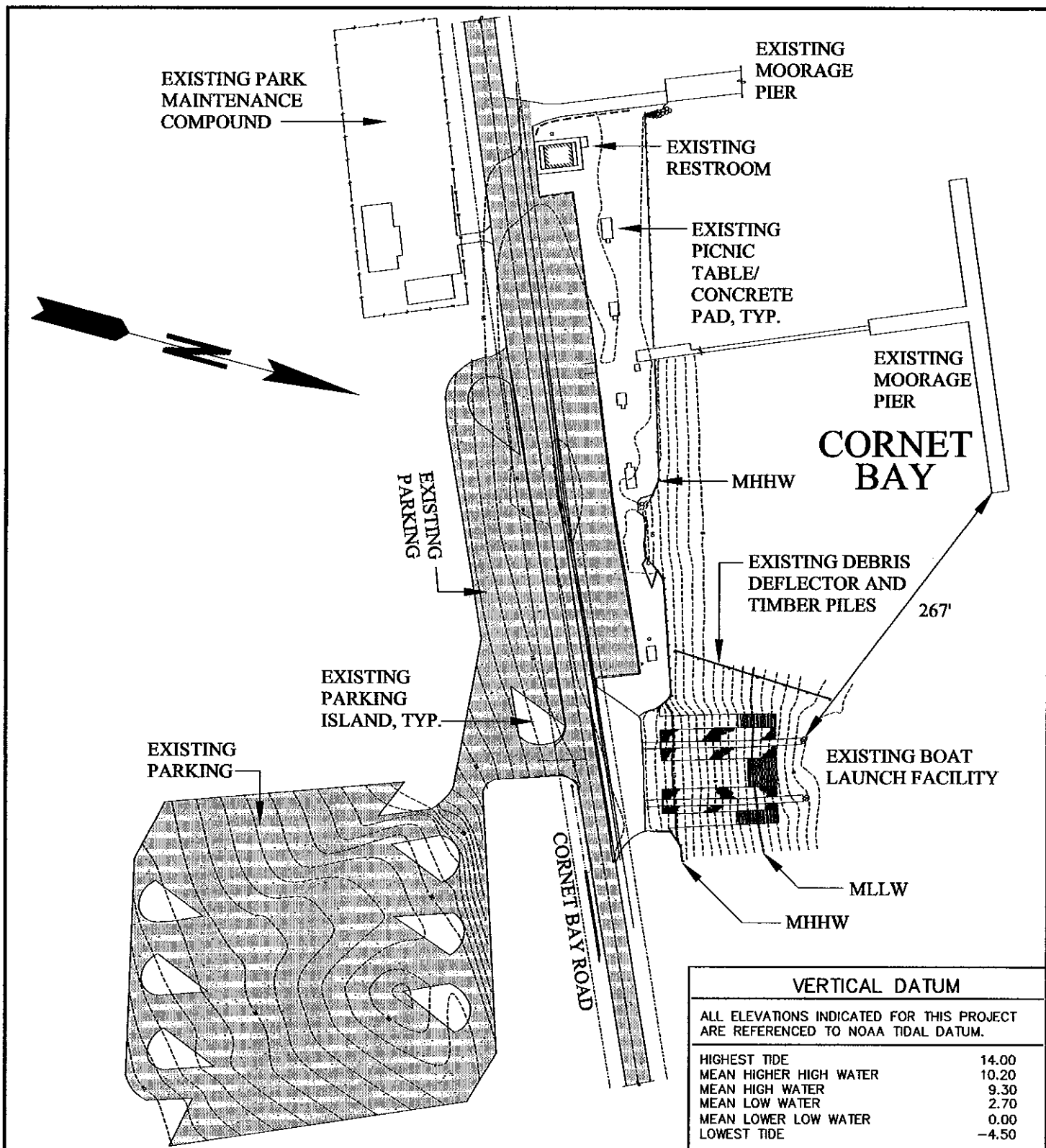
Latitude: 47° 41'
Longitude: 122° 06'

Adjacent Property Owners:
See attachment 1 for adjacent
property owner names and mailing addresses

PLAN VIEW VICINITY MAP

REFERENCE #: 200300924
Proposed: Boat Launch Replacement
In: Cornet Bay
Near: Oak Harbor - Island County
Application by: Washington State Parks
and Recreation Commission
Date: June 2003
Revised: February 2005

SHEET 1 of 5



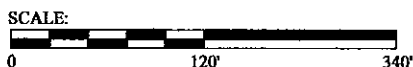
VERTICAL DATUM	
ALL ELEVATIONS INDICATED FOR THIS PROJECT ARE REFERENCED TO NOAA TIDAL DATUM.	
HIGHEST TIDE	14.00
MEAN HIGHER HIGH WATER	10.20
MEAN HIGH WATER	9.30
MEAN LOW WATER	2.70
MEAN LOWER LOW WATER	0.00
LOWEST TIDE	-4.50

Purpose: Boat Launch Improvements
Datum: NOAA, MHHW=10.20, MLLW=0.00

Latitude: 47° 41'
Longitude: 122° 06'

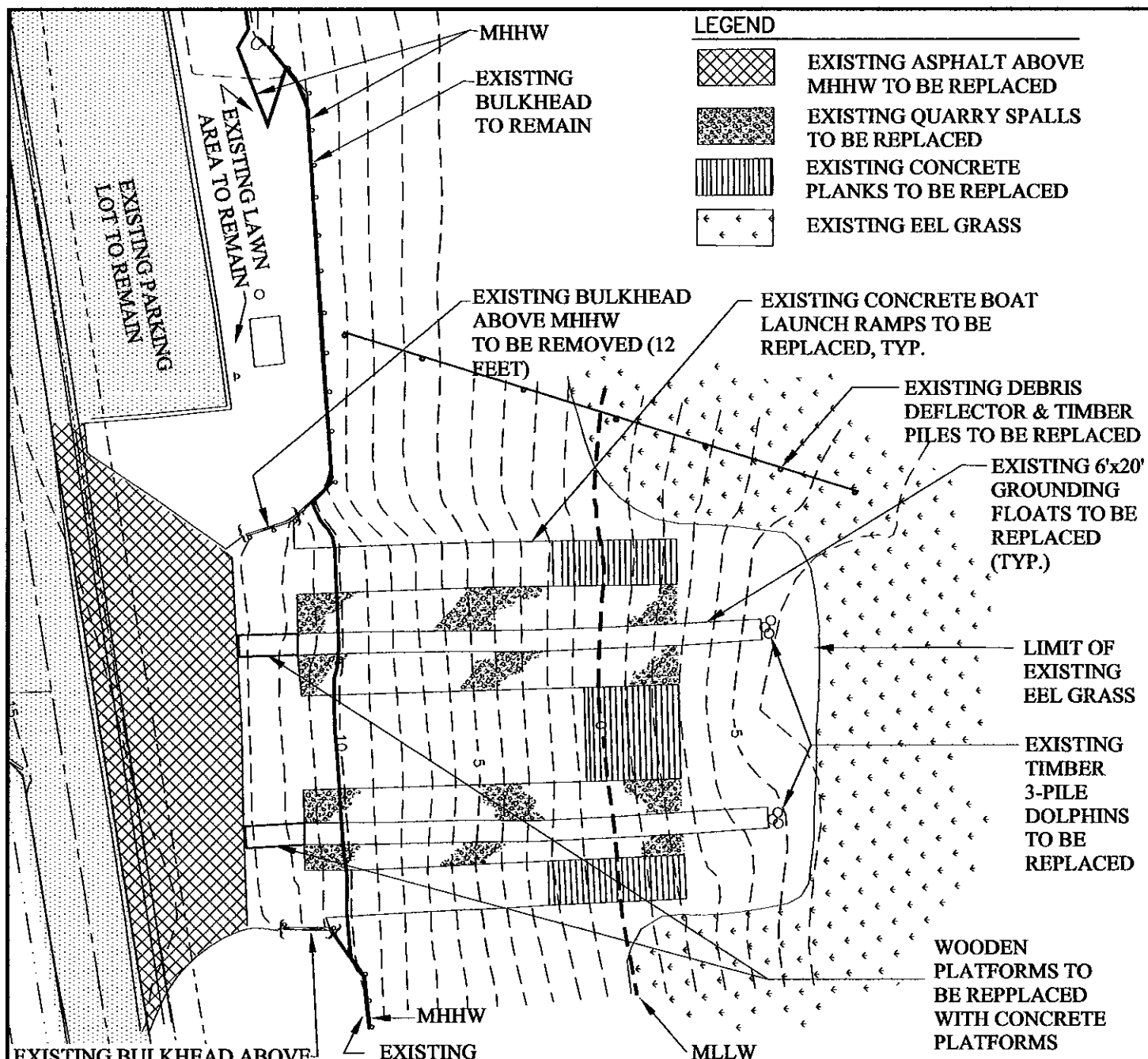
Adjacent Property Owners:
See attachment 1 for adjacent
property owner names and mailing addresses

PLAN VIEW EXISTING FACILITIES



REFERENCE #: 200300924
Proposed: Boat Launch Replacement
In: Cornet Bay
Near: Oak Harbor - Island County
Application by: Washington State Parks
and Recreation Commission

SHEET 2 of 5
Date: June 2003
Revised: February 2005



EXISTING BULKHEAD ABOVE MHHW TO BE REMOVED (12 FEET)

DIMENSIONAL DATA

BOAT LAUNCH EXISTING DIMENSIONS: 98' WIDE X 115' LONG

TOTAL AREA OF EXISTING CONCRETE RAMPS BELOW MLLW = 4,353 S.F.

TOTAL AREA OF EXISTING QUARRY SPALLS BELOW MLLW = 3,339 S.F.

TOTAL AREA OF EXISTING FLOATS BELOW MLLW = 1,300 S.F.

BOAT LAUNCH EXTENDS APPROX. 90' BELOW MHHW

EXISTING GROUNDING FLOATS EXTEND APPROX. 114' BELOW MHHW

EXISTING BULKHEAD ABOVE MHHW TO REMAIN

MLLW

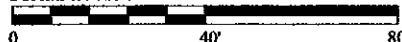
Purpose: Boat Launch Improvements
Datum: NOAA, MHHW=10.20, MLLW=0.00

Latitude: 47° 41'
Longitude: 122° 06'

Adjacent Property Owners:
See attachment 1 for adjacent
property owner names and mailing addresses

PLAN VIEW EXISTING FACILITIES

SCALE IN FEET



VERTICAL DATUM

ALL ELEVATIONS INDICATED FOR THIS PROJECT
ARE REFERENCED TO NOAA TIDAL DATUM.

HIGHEST TIDE	14.00
MEAN HIGHER HIGH WATER	10.20
MEAN HIGH WATER	9.30
MEAN LOW WATER	2.70
MEAN LOWER LOW WATER	0.00
LOWEST TIDE	-4.50

REFERENCE #: 200300924
Proposed: Boat Launch Replacement
In: Cornet Bay
Near: Oak Harbor - Island County
Application by: Washington State Parks
and Recreation Commission

SHEET 3 of 5

Date: June 2003
Revised: January 2005

NOTES:

1. ALL PROPOSED FACILITIES LOCATED WITHIN THE 4,134 ACRE DECEPTION PASS STATE PARK.
2. FILL MATERIAL WILL TOTAL 330 CUBIC YARDS WHICH WILL CONSIST OF 275 CUBIC YARDS OF CONCRETE TO BE USED AS LAUNCH LANES AND 55 CUBIC YARDS OF QUARRY SPALLS TO BE PLACED AT THE END OF THE RAMPS.
3. REMOVED MATERIAL WILL TOTAL 435 CUBIC YARDS AND WILL CONSIST OF 135 CUBIC YARDS OF CONCRETE REMOVAL AND 300 CUBIC YARDS OF QUARRY SPALLS.
4. REMOVED MATERIAL TO BE DISPOSED AT AN APPROVED, UPLAND SITE.

DIMENSIONAL DATA

BOAT LAUNCH PROPOSED DIMENSIONS: 78' WIDE X 125' LONG
 TOTAL AREA OF PROPOSED CONCRETE BELOW MHHW = 5,916 S.F.
 TOTAL AREA OF PROPOSED QUARRY SPALLS BELOW MHHW = 544 S.F.
 TOTAL AREA OF PROPOSED FLOATS BELOW MHHW = 2,175 S.F.
 PROPOSED BOAT LAUNCH EXTENDS 100' BELOW MHHW
 PROPOSED GROUNDING FLOATS EXTEND 120' BELOW MHHW

SEVEN (7) NEW STEEL PILES AND NEW DEBRIS DEFLECTOR LOGS

FUTURE CONCRETE PLATFORM, TYP.

FUTURE TIMBER BULKHEAD (11 L.F.)
 BACKFILL (15 C.Y.)
 SEE DETAIL ON SHT. 5

EELGRASS

PROPOSED QUARRY SPALLS
 44 C.Y. TO BE PLACED

SEE FIG.4 FOR SECTION VIEW
 PROPOSED 6'x20' GROUNDING FLOAT (TYP.)

PROPOSED STEEL PILING & PILE STRAP
 STA. 125.8
 END BOAT LAUNCH RAMP

FUTURE TIMBER BULKHEAD (11 L.F.) & BACKFILL (15 C.Y.)

MHHW
 STA. 1+02 BEGIN PRECAST CONC. PUSH-IN-PLACE PLANKS

STA. 0+00 BEGIN PROPOSED CAST-IN-PLACE CONC. BOAT LAUNCH RAMP

MLLW

VERTICAL DATUM

ALL ELEVATIONS INDICATED FOR THIS PROJECT ARE REFERENCED TO NOAA TIDAL DATUM.

HIGHEST TIDE	14.00
MEAN HIGHER HIGH WATER	10.20
MEAN HIGH WATER	9.30
MEAN LOW WATER	2.70
MEAN LOWER LOW WATER	0.00
LOWEST TIDE	-4.50

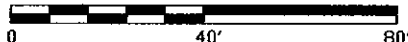
Purpose: Boat Launch Improvements
 Datum: NOAA, MHHW=10.20, MLLW=0.00

Latitude: 47° 41'
 Longitude: 122° 06'

Adjacent Property Owners:
 See attachment 1 for adjacent property owner names and mailing addresses

PLAN VIEW PROPOSED FACILITIES

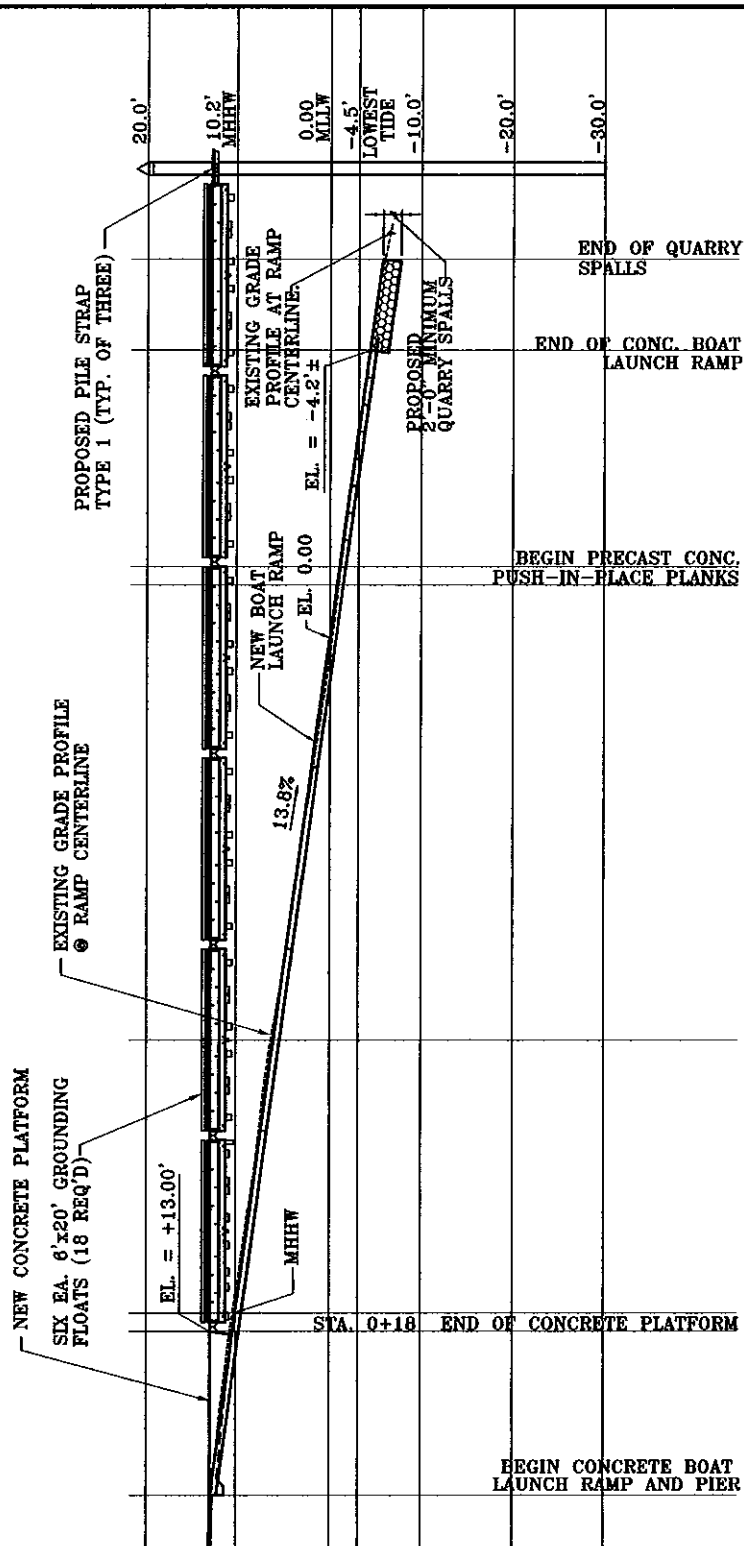
SCALE IN FEET



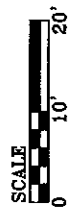
REFERENCE #: 200300924
 Proposed: Boat Launch Replacement
 In: Cornet Bay
 Near: Oak Harbor - Island County
 Application by: Washington State Parks and Recreation Commission

SHEET 4 of 5

Date: June 2003
 Revised: February 2005



PROPOSED BOAT LAUNCH RAMP SECTION



Purpose: Boat Launch Improvements
Datum: NOAA, MHHW=10.20, MLLW=0.00

Latitude: 47° 41'
Longitude: 122° 06'

Adjacent Property Owners:
See attachment 1 for adjacent
property owner names and mailing addresses

PROPOSED SECTION

REFERENCE #: 200300924
Proposed: Boat Launch Replacement
In: Cornet Bay
Near: Oak Harbor - Island County
Application by: Washington State Parks
and Recreation Commission
SHEET 5 of 5
Date: June 2003
Revised: February 2005

200300924

Attachment 1

Adjoining Property Owner Names and Addresses

Joseph Payne	213 Cornet Bay Road, Oak Harbor, WA 98277
George Pepelnjak	22104 McMurray Shore Drive, Mount Vernon, WA 98274
John Millenaar	PO Box 695, Kettle Falls, WA 99141
Waldron Construction Inc.	795 NE Midway Boulevard, Oak Harbor, WA 98277
Glyn Lanham	143 W. Johnson Lane, Oak Harbor, WA 98277
Robert Pike, Di-anna Pike	5191 N. Ridgeline Place, Oak Harbor, WA 98277
John M. Aydelotte	221 Cornet Bay Road, Oak Harbor, WA 98277
Deception Pass Maina, Inc.	200 Cornet Bay Road, Oak Harbor, WA 98277
Tuyet B. Shadel	316 SE Pioneer Way, Oak Harbor, WA 98277
Paul D. McVicar, Jean C. McVicar	706 N. 102nd, Seattle, WA 98133
Michael Williams et al, Sarah Williams, Janis L. Williams	6845 46 th Ave. NE, Seattle, WA 98115
Tawni Christensen	122 216 th Ave. NE, Sammamish, WA 98074
Ben Ure Island Community Service Association	C/O Tawni Christensen, 122 216 th Ave. NE, Sammamish, WA 98074
Charles E. Brady Jr.	16819 Holly Trail, Houston, TX 77058



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: March 7, 2005

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200300924-R will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600